

REMARKS

The Examiner in the Official Action has rejected claims 1, 3-9 and 11-13 under 35 U.S.C. 103(a) as being unpatentable over Steensma in view of Anderson

Applicant has amended independent claim 1 to more clearly set forth the present invention. Claim 1 is directed to a system for managing photo releases, wherein a digital capture device is used for capturing a regional image and a display device for producing a representative image of the captured regional image. The display device displays a representative image for displaying a release associated with the individual. An input device is also provided with a display device for receiving an authorized signature by at least one individual with respect to the photo release. Claim 1 as amended, sets forth that at least one individual in a representative image that is displayed on the display device is highlighted to indicate when an authorization signature onset photo release has been obtained. Thus, it is the individual in the image that is highlighted in some manner to indicate that a release has been received from that particular individual. In many photographs there are often a plurality of individuals, wherein a release is needed from each and every individual. In such cases it is important to keep track of who has provided a release and who has not provided a release. The ability to indicate in the display device where a representative image indicating which of the individuals have or have not provided releases, provides a quick and easy manner providing this information. There is no teaching or suggestion of Steensma of highlighting an individual within the display image for indicating that a release has been obtained.

The Examiner relies on Anderson to illustrate that the display picture and picture property storing the database, can be illustrated on a display. However, Applicant respectfully submits that Anderson fails to teach or suggest anything which would render independent claim obvious. In particular, the passage that the Examiner relies upon, column 5, lines 2-12 merely sets forth that a plurality of cells are displayed on the camera; wherein each cell displays a thumbnail of one of the digital images captured. Thus, what is illustrated is simply an index of the captured images that have been captured by the digital camera. There is no teaching or suggestion of highlighting individuals in an

image to indicate that a release has been obtained. Neither of the references cited teach or disclose this. To suggest that the prior art would, of course, allow anyone to make any modification to increase the use of operation of the digital camera, fails to teach or suggest the critical limitation of the present invention. Applicant respectfully submits that the Examiner has used hindsight to piecemeal the limitation not disclosed or suggested in any of the cited references. It is almost always possible to reconstruct Applicant's invention. However, hindsight is impermissible. The prior art fails to teach or suggest the highlighting of specific individuals of an image being displayed to indicate that a release has been obtained as taught and claimed by Applicant. Both independent claims 1 and 9 include limitation of highlighting an individual on the display representative images when a release has been obtained with respect to the original image. It is respectfully submitted that independent claims 1 and 9 are not taught or suggested by cited prior art and the dependent claims, which depend at least ultimately upon independent claims 1 and 9 are also patentably distinct for the same reason.

With regard to independent claim 13, the Examiner cites Dziewit for support, which prevents against unnoticed modification, as well. The Examiner is correct in that modifications of the image in Dziewit prevents unnoticed modification. However, in the present invention, a statement is made that the original image is no longer capable of being modified. This means that the image cannot be further modified once the appropriate authorization has been obtained. Therefore, there is a big distinction between unnoticed modification as opposed to no longer being capable of being modified. Accordingly, it is respectfully submitted that claim 13 is also patentably distinct over the cited art.

In summary, Applicant respectfully submits that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.